



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.1.11	Subject: DEPARTMENT AND TRIBAL GOVERNMENT RELATIONS
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Section 1: General Administration	Effective Date: 07/01/08
Signature: /s/ Mike Batista, Director	Revised: 04/19/2016

I. POLICY

The Department of Corrections recognizes the distinct and unique cultural heritage of American Indians and is committed to maintaining the government-to-government relationship with the eight tribal governments of Montana for the greater good of the tribal members and all Montana citizens.

II. APPLICABILITY

All divisions, facilities, and programs, Department-owned and contracted, as specified in the contract.

III. DEFINITIONS

Tribal Government – A state or federally-recognized Indian tribe within the State of Montana.

IV. DEPARTMENT DIRECTIVES

A. Inter-departmental Relations

1. The Department recognizes tribal governments residing in Montana as sovereign entities that have an interest in Department policies and programs that affect tribal interests or tribal members.
2. The Department will consider impacts on tribal members and tribal governments when developing policy, procedures, and Department programs and, if appropriate, will consult with tribal representatives to discuss issues and attempt to resolve tribal concerns when this can be accomplished without jeopardizing Department, public, and offender safety and security.

B. American Indian Liaison

1. The Department has established the position of American Indian Liaison to serve as a technical and cultural authority to provide ongoing culturally competent consultation and guidance to Department staff on American Indian issues as they relate to sound correctional practices.
2. The American Indian Liaison will:
 - a. be the primary point of contact and establish effective working relationships between the Department and tribal governments including, as appropriate, tribal council members, tribal correctional programs, and other tribal officials and staff;

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- b. initiate contacts and establish effective working relationships with other entities and individuals impacted by Department programs including, but not limited to:
 - 1) representatives of local organizations, e.g., urban Indian centers, the Montana-Wyoming Tribal Leaders Council, etc.;
 - 2) American Indian individuals, i.e., elders, spiritual leaders; and
 - 3) others who may provide input, clarification and guidance on American Indian issues as they relate to correctional practices.
 - c. meet or correspond with American Indian offenders in Department facilities and programs to understand their cultural and spiritual needs and concerns, and encourage offenders to address their operational and programming concerns in accordance with established facility communication or grievance procedures;
 - d. facilitate communication between tribal and Department representatives to identify, discuss, and resolve issues of mutual concern or interest;
 - e. provide American Indian cultural training for Department managers and staff on the unique nature of individual tribal governments, including knowledge of, and sensitivity to, issues of tribal culture, relations, and legal status;
 - f. write articles for the Department newsletter and media outlets in cooperation with the Department's communications director;
 - g. assess Departmental policies and operational procedures in light of current American Indian spiritual and cultural practices;
 - h. develop new policies or recommend changes to current policies related to American Indian culture and issues;
 - i. develop grant requests, in conjunction with the Department's grant coordinator, to support American Indian program needs identified through program reviews and communication with tribal officials and others; and
 - j. work with the Department's staff recruiter to increase the number of American Indian employees within the Department.
3. Department managers will keep the American Indian Liaison apprised of issues that involve tribal interests or require tribal/Department participation.

V. CLOSING

Questions concerning this policy should be directed to the Department's American Indian Liaison or Office of Human Resources.

VI. REFERENCES

- A. 2-15-2302, MCA; 18-11-101, MCA; 53-30-302, MCA; 53-30-303, MCA
- B. Article X, Section 1 (2) Montana Constitution
- C. DOC Policies 1.1.3, Organization and Responsibility; 1.1.4, Department and Board of Pardons and Parole Coordination

VII. ATTACHMENTS

None